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February 24, 2014

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: GN Docket No. 12-268 and GN Docket No. 13-185

Dear Madam Secretary:

Pursuant to Section 1.1300 et seq. of the Commission's rules, 47 C.F.R., this is to report that on February 24, 2014, Allison DiNardo, representing King Street Wireless, L.P., and the undersigned, met with Howard Symons and Edward Smith of the IA Task Force and John Leibovitz, Chris Helzer, Blaise Scinto, Madelaine Maior and Jennifer Tomchin of the Wireless Telecommunications Bureau, regarding the matters set forth on the enclosed presentation which we handed out at the meeting.

Please direct any questions to the undersigned counsel for King Street Wireless, L.P.

Very truly yours,

/s/ Thomas Gutierrez
Counsel for King Street Wireless, L.P.

Enclosure

cc: Howard Symons
Edward Smith
John Leibovitz
Chris Helzer
Blaise Scinto
Madelaine Maior
Jennifer Tomchin

February 24, 2014

**TWO KEYS FOR SUCCESS OF
THE INCENTIVE AUCTION:
PROPER LICENSE MARKET
SIZES AND NO PACKAGE BIDDING**

**A Presentation to the
Incentive Auction Task Force**

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I. King Street's Interest and Qualifications

A. Auction No. 73

B. Build Notifications

C. LTE Operations

D. AWS Auction #66

E. PCS Auction #58

II. CMAs are the Only Market Size that Makes Sense for the Incentive Auction

A. Above all Else, the Commission Must Comply with its Governing Statute

1. Two separate Sections of the Act mandate that the Commission.
 - a) Prescribe area designations that promote economic opportunity for small businesses. . . . Section 309(j)(4)
2. Ensure that small businesses . . . are given the opportunity to participate in the provision of spectrum-based services. . . . Section 309(j)(D)
3. The Commission is already perilously close to not conforming with these mandates. Witness Auction No. 73.
4. Review of the record in this proceeding demonstrates that small geographic market sizes are good for small carriers: small carriers favor them; larger carriers do not.

B. CMAs are the Most Appropriate License Market Size

1. CMAs increase involvement of small bidders.
2. CMAs will raise equal or more money than larger markets.
3. CMAs will increase the amount of spectrum that can be auctioned.
4. CMAs are an objective generally accepted license market size.
5. CMAs are the consensus first choice of small and medium size carriers.
6. CMAs are acknowledged and understood building blocks for those who want to develop larger serving areas.

C. Use of EA License Areas, Exclusively, Would Limit Small Business Participation and Success in the Auction

1. Economic Theory
2. The Viaro Example

D. Use of PEAs Would Detract from the Legitimacy of the Auction

1. To date, the Commission's use of objective market sizes has added to the legitimacy of the auction, and there is no reason to retreat from that success.
2. PEAs are not based upon any objective, neutral geopolitical boundaries.
3. PEAs constitute Gerry mandering, and benefit some bidders at the expense of others.

E. There are No Genuine Reasons Not to Use CMAs

1. The complications associated with a greater number of markets is not great, and pales with other auction issues.
2. CMAs do “nest” with the great majority of EAs, and nesting is not a critical auction need.

F. Package Bidding Would Service No Interests Other than Verizon's and AT&T's

1. The Comments make clear that only Verizon and AT&T favor package bidding.
2. No case for needing package bidding has been made.
3. Large carriers are able to aggregate without package bidding.

G. Questions/Discussion